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describing the duties of each employee. A job description would be written for the City Administrator as soon as this process is completed.

The Council discussed the annexation of Sugar Factory Row and areas West of Delta. This would increase the sales tax received by the City. Some of the people on Sugar Factory Row have already paid for sewer connection fees, but are not hooked into the sewer. It was also reported that these areas already receive a number of City services.

City Attorney Peterson stated there are two approaches to take regarding legal action on the BCI Computer System: (1) A formal law suit, or (3) proceed under the Uniform Commercial Code, to sell the goods and apply the money and reimbursement to the City. He stated that the safest course of action is to pursue a lawsuit. Councilman Don Dafoe MOVED to instruct the attorney to proceed with litigation if necessary against BCI Computer to recover the City funds of approximately 430,000.00. Councilman Don Bird SECONDED the motion. The motion carried unanimously.

Councilman Willis Morrison MOVED to adjourn the meeting and Councilman Max Bennett SECONDED the motion. Mayor Nielson adjourned the meeting at 11:38 a.m.


Mayor Grant S. Nielson

City Recorder Dorothy Jeffery

MINUTES OF A REGULAR CITY COUNCIL MEETING, DECEMBER 12, 1983

PRESENT

Grant S. Nielson
Max Bennett
Don Bird
Don Dafoe
Ruth Hansen
Willis Morrison

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan
Warren Peterson
Dorothy Jeffery

City Administrator
City Attorney
City Recorder

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Sherri Terrell	City Secretary
John Quick	City Engineer
Kjell Jenkins	Council Member Elect
Keith Ross	City Resident
Gene Sturzenegger	Asst Director, Utah Dept. of Trans.
Clem Church	Member, Utah Transportation Comm.
Steve Noble	Director, Utah Dept. of Trans.
Joe Moody	State Representative
Jim Fletcher	KNAK Radio

Mayor Nielson called the meeting to order at 7:03 p.m. Notice of the meeting time, place and agenda was posted at the City Office and was provided to the Millard County Chronicle, the Millard County Gazette, the local radio station, KNAK, and each member of the City Council by personal delivery two (2) days prior to the meeting.

MINUTES

City Attorney Peterson stated that he did not have the opportunity to go through the minutes of the December 5, 1983, meeting because of the length and the late date at which they were delivered for review. He recommended the Council table the minutes for one week. The Council discussed the minutes. Councilman Don Dafoe MOVED to table the minutes until next Monday. Councilman Don Bird SECONDED the motion. The motion carried unanimously.

ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery presented the list of accounts payable, which went as follows:

UP&L	FD		158.89
UP&L		School Sign	2.13
UP&L	SL		904.59
UP&L	SL		314.63
DELTA AUTO	Christmas	Guy wire/paint	24.90
QUALITY HARDWARE	Christmas	Lites & plugs	23.54
LOVELL INC.	Streets	Misc for snowplow	86.19
QUALITY IGA	Streets	Switches	3.17
COREY LUMBER	Streets	Pipe/rebar	9.25
DELTA AUTO	Streets	Toggle switch/wire/etc	108.71
ATLAS EQUIPMENT	Sewer	Tube	64.68
CONOCO INC.	Streets	Freight for asphalt	958.23
GULF STATES DIST	Police	Pistol/M14	383.78
GULF STATES DIST	Police	Rudger/5 trade in models	539.29
JOLLEYS WESTERN WEAR	Wtr/Sw	Insulated coveralls	94.90
KELLY COMPANY	City Building	Phone message books	49.97
KIMOS CAMERA	Police	Photo processing	3.68
WM CO-OP	Bldg Insp	Tire Repair	4.00
WYCOFF EXPRESS CO	Streets	Freight charges	10.50
UT HIGH SCHL ASSC.	P&R	Volleyball test & books	2.09
DWIL PUBLISHING	Police	Neighborhood Watch	156.00

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DUWIL PUBLISHING	Council	Envelopes/Canvases/Lic.	291.00
EAGLE COMPANY	Police	Uniform (Hansen)	224.65
RIDING FORD	Water	Repairs to service truck	87.65
RIDING FORD	Wtr/Sw	Car seats	25.00
RIDING FORD	Bldg Insp	Service on truck	41.00
TOTAL			4,572.42

Councilman Don Bird MOVED to pay the list of accounts payable. Councilman Don Dafoe SECONDED the motion. The motion carried unanimously.

JUAB COUNTY PRISONER HOUSING BILL

City Administrator Jim Allan stated that he and Police Chief Greg Cooper had reviewed the Juab County prisoner housing bill. He stated the three individuals in question were Delta City prisoners. The Council reviewed the bill. Councilman Don Bird MOVED that the City pay Juab County for the housing of Delta City prisoners, the amount being \$3,676.00. Councilman Max Bennett SECONDED the motion. The motion passed unanimously.

The Council discussed a contract between Delta City and Millard County for housing Delta City's prisoners.

ORDINANCE ESTABLISHING A LIBRARY ADVISORY BOARD

City Attorney Peterson reviewed the proposed ordinance creating a library department within Delta City. He stated that the Council had instructed him that the librarian be the department head under the supervision of the Mayor or City Administrator.

Council Member Ruth Hansen stated that she would rather see a library board consist of 7 members instead of 5, allowing more representation. One member would be the Council Member assigned to the Library and the other 6 members would be appointed. The Council discussed the ordinance and made the changes recommended by Mr. Peterson based on the Council discussion. Council Member Ruth Hansen MOVED to adopt Ordinance 83-67, with a 7 member board and with the changes as recommended. Councilman Don Dafoe SECONDED the motion to adopt the changed Ordinance 83-67 entitled:

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) TO ENACT TITLE 15-000 ENTITLED "PUBLIC FACILITIES AND PROGRAMS" AND CREATING THEREIN A LIBRARY DEPARTMENT, ESTABLISHING A LIBRARIAN POSITION AND ESTABLISHING A LIBRARY ADVISORY BOARD WITHIN THE CITY OF DELTA, UTAH.

Mayor Nielson asked for a roll call vote, which was as follows:

Max Bennett	Yea
Don Bird	Yea
Don Dafoe	Yea

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Ruth Hansen
Willis Morrison

Yea
Yea

Following the voting, the ordinance, as modified, was signed by the Mayor and attested by the City Recorder.

DISCUSSION ON STATE HIGHWAY CONCERNS

Gene Sturzenegger explained the traffic tests that are performed for streets that may require traffic signals. He stated that a survey was performed in Delta and that no intersections in Delta presently met the established warrants for traffic signals. He suggested a traffic survey be conducted again in the spring. He discussed with the Council the situation Delta City faces with the large growth impact.

City Attorney Peterson asked what contingency plans have been made to prevent Highway 6 from flooding and being closed as it was during 1983. Mr. Sturzenegger stated that Highway 6 has now been elevated 3 feet and he feels very secure in saying that Highway 6 to Ely, Nevada will not be closed again this year. He stated that the Utah Department of Transportation was in the process of trying to place larger box culverts under the roads along the Sevier River at Deseret. This is warranted because of the increased size of the spillways in the dams being rebuilt at DMAD and Gunnison Bend reservoirs.

Mr. Sturzenegger discussed with the Council the pedestrian safety commitments that have not yet been met on Highway 6 at the East end of Main Street. He stated that the UDOT maintenance engineer had scheduled this project for the first thing in the spring. He apologized for the delay, and stated that because of the flooding situation during 1983, this project remained incomplete.

Keith Ross stated that he had traded some property to the State of Utah to allow relocation of the intersection of US 6 and 50. He asked when the State would have the old pavement removed from his property. Mr. Sturzenegger stated that it would be taken care of early in the spring of 1984.

Councilman Max Bennett asked if the flashing school zone signs along Main Street could be removed since elementary school students are no longer required to cross Main Street. Mr. Sturzenegger stated that the State requirements on the school zone signs were to have a crossing guard and for the City to pay the utility bills. He stated that if there was no longer a need and if the crossing guard had been reassigned that the City could have the power to have the signs discontinued and the State would pick them up.

LIABILITY INSURANCE FOR PERSONS WORKING PUBLIC SERVICE HOURS

City Administrator Jim Allan stated that he had spoken to Dennis Lloyd with the Utah State Insurance Fund. Mr. Lloyd had recommended that Delta City have a special insurance policy with the State to insure the City's liability coverage for persons working public service hours. This coverage

would cost \$.57 per \$100.00 of what the worker would be paid and would be billed quarterly. Those cities not carrying the additional insurance would be turned down if funds are requested. Councilman Max Bennett MOVED and Council Member Ruth Hansen SECONDED the motion for City Administrator Jim Allan to proceed to set up the additional liability insurance for persons working public service hours. The motion carried unanimously.

LETTER FROM LILY DAWSON CONCERNING HER POSITION

City Administrator Jim Allan stated that a letter had been submitted by Lily Dawson concerning her duties and responsibilities. The letter is as follows:

Dear Mayor & City Council,

I am convinced that the City would benefit from hiring a younger person to assume the full duties of City Treasurer who will remain in that position longer than I would.

At the present time I cannot afford to be unemployed so if it isn't too much trouble I would like to remain at my present job until May 15, 1984, at which time I expect to have my affairs in order in regard to retirement. A reduction in wages now will affect the amount of retirement pension I will receive.

Under the circumstances, I don't think it would be reasonable for me to undertake the full duties of City Treasurer and I would like the Council to postpone this assignment. I also realize the Recorder needs to be relieved of some of her duties so I would be willing to be of any help to her I can.

If it is the Council's decision that I assume more or full duties as treasurer in the interim I would be glad to do so.

If at all possible I would like the Council to consider my transfer to the new city Library when the time comes.

As librarian I would be doing the kind of work I love best and it would serve my purposes, as I will be eligible to collect retirement in May of 1984, which will be determined by how much I earn.

Thank you,
Lily R. Dawson

The Council discussed the letter, the possibility of hiring a new City Treasurer, and the position of a librarian. The Council asked City Administrator Allan to research the matter and make a recommendation to the Council.

ORGANIZATIONAL CHART

City Administrator Jim Allan presented and reviewed a proposed organizational chart that explained the chain of command within the City. The Council discussed the proposed organizational chart and the procedure manual.

City Attorney Peterson stated the Council had requested an ordinance be adopted defining the duties and responsibilities of the City Administrator. He suggested that a preliminary ordinance be drafted and be reviewed by two of the Council Members.

Mayor Nielson suggested the three outgoing Council Members serve on an advisory board for the ordinance describing the City Administrator's duties and responsibilities. The Council concurred.

City Attorney Peterson will have a preliminary draft of the ordinance to discuss at the next City Council meeting.

REPORT ON IPP IMPACT ALLEVIATION NEGOTIATIONS

City Administrator Jim Allan reported on the 4 Year Impact Alleviation Negotiations and reviewed the items listed on the proposed impact alleviation program.

He stated he had spoken to Fire Chief Bryce Ashby and it would be better for the City to ask IPA to furnish 2 pumper fire trucks instead of 1 ladder-pumper truck.

There was a discussion of possible use tax revenues to be received by the City from the construction of the Intermountain Power Project.

The City Administrator reminded the Council that the City negotiating team is scheduled to meet with IPA representatives on Tuesday, December 13, 1983, at 12:30 p.m. and the Council is scheduled to meet at 3:00 p.m. in the Delta IPP office.

OTHER BUSINESS

City Engineer John Quick stated that K&P Plumbing & Heating would complete its schedule of Phase II of the Water Improvement Project this week. He presented a Change Order for the additional work that has been completed in the amount of \$11,800.03. He explained to the Council in detail the reason for each change. Mr. Quick stated that this amount would be divided between the Utah Board of Water Resources, IPP, and Utah Natural Resources Community

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Impact Board. Councilman Don Bird MOVED that the Council approve the change order listed by the Engineer in the amount of \$11,800.03. Councilman Max Bennett SECONDED the motion. The motion carried unanimously.

City Engineer John Quick presented a pay request for final payment of K&P Plumbing and Heating on the Water Project, Phase II. He stated the final payment, including the change order, is \$35,580.03. Councilman Don Bird MOVED to pay K&P Plumbing the final payment of \$35,580.03. Councilman Willis Morrison SECONDED the motion, which passed unanimously.

City Engineer John Quick presented a pay request from Bush & Gudgeall for engineers fees for Phase II of the Water Project in the amount of \$16,623.50. He read the itemized pay request to the Council. Councilman Don Bird MOVED and Councilman Don Dafoe SECONDED the motion to pay Bush & Gudgeall the requested amount of \$16,623.50. The motion carried unanimously.

City Attorney Peterson reported on the status of the lawsuit filed against Delta City on the issuance of a beer license to Southland Corporation.

Councilman Don Bird stated that he would like to see the City proceed with the annexation of the Sugar Factory Row as soon as possible. He explained the boundaries and the situations of the people on Sugar Factory Row and the area Northwest of the City's West boundary. He stated that he would get the area on a map and contact the people involved.

Councilman Don Dafoe MOVED and Councilman Willis Morrison SECONDED the motion to go into a closed session to discuss personnel matters. The motion carried unanimously and the Council went into a closed session at 11:43 p.m.

Councilman Max Bennett MOVED to reconvene into an open session. Councilman Willis Morrison SECONDED the motion, which passed unanimously.

The Council discussed the Hearing regarding Ken Kauwe's appeal to the Appeals Board Decision. Councilman Don Dafoe MOVED and Councilman Willis Morrison SECONDED the motion to uphold the Appeals Board's decision. The motion carried unanimously.

Councilman Willis Morrison MOVED to recess until 3:00 p.m. Tuesday, December 13, 1983, at the Delta IPP office located at 58 East Main. Councilman Max Bennett SECONDED and the Mayor declared the meeting recessed.

Minutes of December 13, 1983, meeting of the Delta City Council, which meeting was an adjournment of the December 12, 1983, Council Meeting.

Mayor Grant Nielson declared the meeting of December 12, 1983, which had been adjourned to 3:00 p.m. on December 13, 1983, at 58 East Main Street in Delta, reconvened at 3:18 p.m. on December 13, 1983, at the Intermountain Power Agency Offices, 58 East Main Street in Delta, Utah.

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The following people were in attendance:

Grant S. Nielson	Mayor
Don Bird	Council Member
Don Dafoe	Council Member
Ruth Hansen	Council Member
Willis Morrison	Council Member
Craig Greathouse	Council Member Elect
Kjell Jenkins	Council Member Elect
Jim Allan	City Administrator
Warren Peterson	City Attorney
Carl D. Haase	LA Dept. of Water & Power
Roger Stowell	IPA
Steven W. Allred	IPA Attorney

Mayor Nielson explained that the Delta City negotiation team had met with the Intermountain Power Agency (IPA) negotiation team and had proposed changes to the five-year impact mitigation agreement and to the schedules detailing the financial responsibility of IPA.

Mayor Nielson asked City Administrator Jim Allan to review the proposed schedules to the agreement as modified during the negotiation team meeting.

Mr. Allan reviewed each item in the proposed Schedules "A", "B", "C" and "D" to the agreement, with the IPA representative and the Delta negotiating team responding to questions from the Council members.

The Council members conducted extensive discussion of the parks operation and maintenance budget, fire protection capital budget and funding of furnishings and telephone system for the new City building.

After further discussion, Don Bird MOVED to approve the contract and schedules as presented to the Council, in concept, and to authorize preparation of a resolution approving the form of agreement as soon as the final form could be prepared. Willis Morrison SECONDED the motion.

Mayor Nielson called for discussion on the motion. Carl Haase noted that the full amount of impact alleviation funds to be paid under the proposed contract may reach \$4.7 million. The motion passed unanimously upon being called to a vote.

Willis Morrison thereupon MOVED to adjourn the meeting. Don Dafoe SECONDED the motion. The Council members voted unanimously to adjourn. Mayor Nielson declared the meeting adjourned at 3:51 p.m.


 Mayor Grant S. Nielson

City Recorder Dorothy Jeffery